

**EXCERPT**

**EXHIBIT 18**

**In The Matter Of:**  
*U.S. Securities and Exchange Commission v.*  
*Alpine Securities Corporation*

---

*Erin Green*  
*March 14, 2018*

---

*Behmke Reporting and Video Services, Inc.*  
*160 Spear Street, Suite 300*  
*San Francisco, California 94105*  
*(415) 597-5600*

Original File 33077Green.txt

**Min-U-Script® with Word Index**

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1 UNITED STATES DISTRICT COURT  
2 SOUTHERN DISTRICT OF NEW YORK  
3  
4 - - - - -  
5 UNITED STATES SECURITIES )  
6 AND EXCHANGE COMMISSION, )  
7 Plaintiff, ) CASE NO.  
8 vs. ) 17-cv-4179-DLC  
9 ALPINE SECURITIES )  
10 CORPORATION, )  
11 Defendant. )  
12 - - - - -  
13  
14  
15 VIDEOTAPED DEPOSITION OF ERIN GREEN  
16 WEDNESDAY, MARCH 14, 2018  
17  
18  
19  
20 BEHMK REPORTING AND VIDEO SERVICES, INC.  
21 BY: TERI HANSEN CRONENWETT, CRR, RMR  
22 UTAH LICENSE NO. 91-109812-7801  
23 160 SPEAR STREET, SUITE 300  
24 SAN FRANCISCO, CALIFORNIA 94105  
25 (415) 597-5600

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7 Videotaped Deposition of ERIN GREEN, taken on  
8 behalf of the PLAINTIFFS, at the offices of Clyde,  
9 Snow & Sessions, One Utah Center, 201 South Main  
10 Street, Suite 1300, Salt Lake City, Utah, 84101,  
11 commencing at 9:03 A.M., MARCH 14, 2018, before  
12 Teri Hansen Cronenwett, Certified Realtime Reporter,  
13 Registered Merit Reporter, and Utah CSR License No.  
14 91-109812-7801, pursuant to Notice of Taking  
15 Deposition.  
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12  
13 ALSO PRESENT:  
14 LANCE HARRISON, LEGAL VIDEOGRAPHER  
15  
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1 WEDNESDAY MARCH 14, 2018; 9:03 A.M.  
2 P R O C E E D I N G S  
3 **THE VIDEOGRAPHER:** Okay. We're on record.  
4 Here begins DVD No. 1 in the deposition of Erin Green in  
5 the matter of Security and Exchange Commission versus  
6 Alpine Securities Corporation, in the United States  
7 District Court, Southern District of New York, Case No.  
8 17-CV-4179-DLC. Today's date is March 14th. The time  
9 is 9:03 a.m.  
10 My name is Lance Harrison. I'm the  
11 videographer contracted by Behmke Reporting. Today's  
12 deposition is being held at the offices at 201 South  
13 Main, Suite 1300. Deposition was noticed by Zachary  
14 Carlyle, from Esquire Security and Exchange Commission.  
15 Counsel, will you please identify yourselves  
16 and the court reporter will swear in the witness.  
17 **MR. CARLYLE:** Sure, Zachary Carlyle for the  
18 Securities and Exchange Commission.  
19 **MR. MILLER:** Terry Miller for the Securities  
20 and Exchange Commission.  
21 **MR. LEBENTA:** Aaron Lebenta with Clyde Snow  
22 and Sessions for the witness and for the defendant  
23 Alpine Securities Corporation.  
24 **MS. FRITZ:** Maranda Fritz for Alpine.  
25 **MR. NUMMI:** Richard Nummi for Alpine.

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1 ERIN GREEN,  
2 called as a witness at the instance of the plaintiff,  
3 having been first duly sworn, was examined testified as  
4 follows:  
5 **EXAMINATION**  
6 **BY MR. CARLYLE:**  
7 **Q. Good morning, Ms. Green.**  
8 A. Good morning.  
9 **Q. As we just mentioned, my name's Zach Carlyle,**  
10 **and I'm one of the attorneys representing the Securities**  
11 **and Exchange Commission in this matter against Alpine**  
12 **Securities Corporation. Do you understand that you are**  
13 **under oath today?**  
14 A. I do.  
15 **Q. Okay. And to testify today is the same**  
16 **exactly as if you were testifying in court?**  
17 A. I do, yeah.  
18 **Q. And do you also understand that you are being**  
19 **videotaped today and your testimony is being**  
20 **transcribed, and that that may be shown at a later time**  
21 **to the court to a jury?**  
22 A. Yes.  
23 **Q. Okay. Have you given a deposition before?**  
24 A. Yes. Not -- not on the record, I believe.  
25 But I did about two years ago, in relation to -- was

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1 the SEC?

2 A. No.

3 MR. LEBENTA: No, you personally?

4 A. Not personally, no.

5 MR. LEBENTA: Thank you.

6 Q. (By Mr. Carlyle) Okay. Did you personally

7 give them to someone else who you understood would

8 produce them to the SEC?

9 A. Yes. I -- I personally saved them into the

10 location where I was instructed, at what point they

11 would be taken and, you know, passed on.

12 Q. Okay. Who did you understand would -- would

13 take them and pass them on?

14 A. I -- I don't think I was -- I was ever told.

15 I wasn't -- I mean, it was limited to give, you know,

16 pull this information and save it into this file.

17 Q. Okay. Do you have any personal knowledge of

18 whether the documents that you copied in early 2016 were

19 produced to the SEC?

20 A. No.

21 Q. Have you -- strike the question. If that was

22 even a question.

23 Paragraph 44, the declaration, you say, "I

24 believe that these files have been previously produced

25 to SEC." What's the basis for that statement?

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1 A. The fact that I was involved both times in --

2 in -- in pulling them, and we received two spreadsheets

3 requesting basically all the same information.

4 Q. Okay. When you say you received spreadsheets,

5 were those additional requests for the same information

6 that you had copied in early 2016?

7 A. Yes.

8 Q. And was -- was there something about receiving

9 additional requests for the same documents that had to

10 do with your statement in paragraph 44, leading you to

11 believe that they had been previously produced?

12 A. Can you repeat that?

13 Q. Sure. Let me come at it this way. Is it --

14 in your declaration, are you saying that you -- you

15 copied the documents in early 2016, and that Alpine

16 received subsequent requests for those documents on

17 later dates?

18 A. Yes.

19 Q. Okay. And then you -- you copied the

20 documents again?

21 A. Yes.

22 Q. Okay. And when you copied the documents

23 again, did you personally provide them to anyone from

24 the SEC?

25 A. No.

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1 Q. Do you know whether anyone else produced those

2 documents to the SEC?

3 A. For -- for which production? What are you

4 referring to?

5 Q. Okay. We went through the -- the first time

6 that you copied them. Now I am asking about the second

7 time. Do you know whether the second time you copied

8 the documents those documents were provided to the SEC?

9 A. Do I know whether they were? No, not

10 personally.

11 Q. And just to make sure I understand, in -- in

12 your declaration then are you saying that there was a

13 third time that you copied the documents?

14 A. Um --

15 MR. LEBENTA: Read your declaration.

16 A. Well --

17 MR. LEBENTA: I guess objection. The document

18 speaks for itself.

19 A. We -- we -- we provided the documentation for

20 the exam in 2016, or 2015, the AML-focused exam. Then

21 we provided it again, which is referred to here, and

22 then provided it in response to -- to the most recent

23 SEC action.

24 Q. (By Mr. Carlyle) Okay. Do you have any

25 personal knowledge that the documents you copied and

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1 saved were provided to the SEC at any point in time?

2 A. Not personal knowledge.

3 Q. Do you know who John Hurry is?

4 A. Yes.

5 Q. Beginning with when you started at Alpine,

6 what was his role at the company?

7 A. I don't know what it was when I started. Not

8 sure. It was my understanding that he was the owner.

9 Q. Well, what was your understanding of his role

10 at Alpine, and did that understanding change at any

11 time?

12 MR. LEBENTA: Objection, compound.

13 MS. FRITZ: Did he have --

14 MR. LEBENTA: And objection, compound and

15 asked and answered.

16 Q. (By Mr. Carlyle) Fair enough. Did Mr. Hurry

17 have a role at Alpine?

18 A. In what context?

19 Q. Maybe let's back up. You -- you said that you

20 are aware of who John Hurry is; is that correct?

21 A. Yes.

22 Q. Who is John Hurry?

23 MR. LEBENTA: Objection to form.

24 A. He's the, you know, owner of Alpine. I -- I

25 don't know what his current title is -- was. I don't

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1 A. Because I pulled them or download, saved them,  
2 with the understanding that they would be produced to  
3 the SEC by legal counsel.  
4 Q. Okay. Now, and Alpine maintains these SAR  
5 support files -- or does Alpine maintain these SAR  
6 support files in the regular course of business?  
7 A. Yes.  
8 Q. So you pulled -- when you pulled the SAR  
9 support files in response to the investigative subpoena,  
10 did you pull them from files that Alpine maintains?  
11 A. Yes.  
12 Q. Thank you. Okay. While you have worked at  
13 Alpine, have you ever -- are you aware of John Hurry  
14 having anything to do with the preparation of a SAR?  
15 A. No.  
16 Q. While you were working at Alpine, are you  
17 aware of John Hurry having anything to do with the  
18 filing of a SAR?  
19 A. No.  
20 Q. While you were working at Alpine, are you  
21 aware of John Hurry having anything to do at all with a  
22 SAR decision?  
23 A. No.  
24 Q. Okay. While you were working at Alpine, are  
25 you aware of John Hurry having anything to do with AML

1 that Sidney Austin produced those documents?  
2 A. No. I helped produce them, save them, and  
3 then --  
4 MR. LEBENTA: I was just, when you help  
5 produce them, did --  
6 A. Or when I -- I produce them. I mean, I  
7 downloaded them and saved them like I -- like I said  
8 before.  
9 Q. (By Mr. Carlyle) Like you described?  
10 A. Yeah.  
11 Q. All right. When you -- during -- during the  
12 preparation of this declaration, and prior to signing  
13 it, did you ask Sidney Austin whether they had produced  
14 the documents to the SEC?  
15 MR. LEBENTA: Objection to the extent it calls  
16 for attorney/client privilege or disclosure of  
17 attorney/client privilege. I don't know what the  
18 relationship was personally between Alpine and Sidney at  
19 the time, or even currently. So, and I -- I'm just not  
20 competent to let her answer that question because there  
21 could still be an existing privilege. I don't know the  
22 answer to that.  
23 Q. (By Mr. Carlyle) That's right. So I guess  
24 without divulging this -- this -- the content of any  
25 communication with Sidney Austin, was there -- did any

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1 at all?  
2 A. No.  
3 MR. LEBENTA: I think I have no further  
4 questions.  
5 MR. CARLYLE: Again, just a couple of  
6 questions.  
7 FURTHER EXAMINATION  
8 BY MR. CARLYLE:  
9 Q. I believe that you answered -- answered in  
10 response to a question from counsel that it was your  
11 understanding that the documents you pulled would be  
12 produced to the SEC; is that correct?  
13 A. Yes.  
14 Q. And was it your understanding that legal  
15 counsel would produce those documents?  
16 A. Yes.  
17 Q. Which legal counsel?  
18 A. For the -- this investigative 2016, Sidney  
19 Austin.  
20 Q. Okay. Did -- did you ever receive any  
21 information indicating that Sidney Austin produced those  
22 documents to the SEC?  
23 A. Not personally.  
24 Q. You said "not personally." Is there any --  
25 any way otherwise that you received information showing

1 communication occur related to whether they produced  
2 documents to the SEC?  
3 MS. FRITZ: Between them and the witness?  
4 MR. CARLYLE: Yes.  
5 MS. FRITZ: Okay.  
6 A. In preparation of the declaration?  
7 Q. (By Mr. Carlyle) Yeah.  
8 A. No.  
9 MR. CARLYLE: All right. I have no further  
10 questions.  
11 MR. LEBENTA: Nor do we. We're good. Done.  
12 MS. FRITZ: For the record that --  
13 THE REPORTER: Do you want her to read and  
14 sign?  
15 MR. LEBENTA: Yes.  
16 THE VIDEOGRAPHER: This concludes the  
17 deposition. The time is 3:35.  
18 (At 3:35 p.m. the deposition concluded.)  
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ERIN GREEN

1 STATE OF UTAH )  
2 COUNTY OF SALT LAKE )  
3 I hereby certify that the witness in the foregoing  
4 deposition, ERIN GREEN, was by me duly sworn to testify  
5 to the truth, the whole truth, and nothing but the  
6 truth, in the within-entitled cause; that said  
7 deposition was taken at the time and place herein named;  
8 and that the deposition is a true record of the  
9 witness's testimony as reported by me, a duly certified  
10 shorthand reporter and a disinterested person, and was  
11 thereafter transcribed into typewriting by computer.

12 I further certify that I am not interested in  
13 the outcome of the said action, nor connected with nor  
14 related to any of the parties in said action, nor to  
15 their respective counsel.

16 IN WITNESS WHEREOF, I have hereunto set my  
17 hand this 19th day of March, 2018.

18 Reading and Signing was:

19 ☒ requested ☐ waived ☐ not requested

20

21

22

23

24

25



Teri Hansen Cronenwett, CRR, RMR  
LICENSE NO. 91-109812-7801